



~~September 20, 2005 CPC~~  
~~October 18, 2005 CPC~~  
~~December 15, 2005 CPC~~  
~~February 21, 2006 CPC~~  
~~April 18, 2006 CPC~~  
~~May 16, 2006 CPC~~  
July 18, 2006 CPC

STAFF'S  
REQUEST ANALYSIS  
AND  
RECOMMENDATION

05TS0196

Darrel Neilson  
(The Battery At Old Gun)

Midlothian Magisterial District  
West line of Old Gun Road

REQUEST: Tentative Subdivision plat approval.

RECOMMENDATION

Staff recommends approval of this request subject to the following conditions and notes for the following reasons:

1. The tentative complies with the Subdivision Ordinance.
2. The applicant has secured the removal of a stub road on the Tarrington Tract with the submittal of a substitute tentative application to remove the stub road if this development is approved.

CONDITIONS

1. Thirty five (35) feet of right of way, measured from the centerline of Old Gun Road, shall be dedicated to and for the benefit of Chesterfield County, free and unrestricted, in conjunction with recordation of the first section of this tentative.  
(T)
2. The ditch line on Old Gun Road shall be relocated to provide an adequate shoulder in conjunction with road construction of the first section of this tentative.  
(T)

3. The driveway for the existing residence located at 3220 Old Gun Road West shall be relocated from Old Gun Road to the Salles Crossing Drive as part of construction of Salles Crossing Drive. (T)
4. There shall be no road connection between Salles Crossing Drive and Grayscott Lane in the Tarrington Subdivision and no driveway connection from any lots in the Tarrington Subdivision to Salles Crossing Drive. (T)
5. Any and all coal mine sites shall be located on all final check and record maps. (P)
6. With the construction plan approval process and prior to recordation, all areas of former mining activity shall be eliminated in a suitable fashion as documented by a licensed, professional expert. At a minimum, reclamation of former mining activity shall be consistent with DMME reclamation guidelines as confirmed by written documentation from DMME. In addition to the documentation of the location and reclamation of former mining activities, the geo-technical expert shall designate those lots which in his opinion should have borings taken in order to assure that a home is not built over shafts or any other previous mining activity. (EE)
7. The geo-technical experts report should include the following:
  - a. The location and analysis to include but not be limited to type (e.g., mine entrance shaft, air vents, unsuccessful exploratory pits, etc.), size, and depth of all found mining pits or tailing heaps on the project.
  - b. A statement shall be included that the only previous mining activity found on the site are those shown on the tentative or subdivision plat.
  - c. The report shall clearly establish fill-in/reclamation procedures, setbacks between the perimeter of any shaft reclaimed or otherwise and any other safety measures intended to protect the health, safety and welfare of people as well as the integrity of structures in which people will be living.
  - d. The report shall indicate that all former mining activity shall be filled in/reclaimed under the direction of the geo-technical consultant.
  - e. All reclamation shall be observed by a qualified geo-technical expert acceptable to the Environmental Engineering Department and shall be certified as to compliance with the recommendations established in the accepted report. Prior to the plat recordation, a copy of the certification shall be submitted to the Environmental Engineering Department.

- f. The accepted report shall address the impact of any horizontal shafts as to any effect on construction and any future health, safety and welfare issues.
  - g. On those lots where the geo-technical consultant believes soil borings are required. Geo-technical soil borings shall be performed for the purposes of establishing an acceptable building envelope in sufficient number and array and to a sufficient depth to confirm that only undisturbed natural soil profiles are within the footprint of the proposed building and that the building site is not impacted by any horizontal shafts.
  - h. Allowable building envelopes whose size and location is established based on the recommendations and boring logs of a qualified geo-technical expert acceptable to the Environmental Engineering Department shall be placed on the construction plan and subdivision plat for those lots where no such information is provided, the report from the geo-technical expert shall confirm that such information is not necessary for those lots. (EE)
- 8. Any timbering that is to occur as the first phase of infrastructure construction will be incorporated into the project's erosion-and-sediment control plan narrative and will not commence until the issuance of a land disturbance permit for subdivision construction and proper installation of erosion control measures. (EE)
- 9. The USACOE jurisdictional wetlands shall be shown on the construction plans and subdivision plat. (EE)
- 10. Approval of the road and drainage plans by Plantation Pipeline in relation to its easement and facilities therein is a prerequisite to construction plan approval by the Environmental Engineering Department. A quit claim to VDOT or a satisfactory commitment thereof by Plantation Pipeline for the location where Salles Crossing Place right of way will cross the Plantation Pipeline easement shall be a prerequisite to subdivision plat recordation. (EE)
- 11. The areas of storm-water runoff concentration as discussed in the Environmental Engineering Department tentative report dated April 18, 2006, will be field located and shown on the plans. The construction plans shall designate the affected lots with an NBP, and an engineered storm sewer, filling, grading, and drainage plan shall be included in the construction plans. (EE)
- 12. The subdivider shall post signs demarking the limits of the RPA so builders and homeowners may be informed as to the limitations imposed on these areas. Specific plans for the exact number and placement of the signs shall be approved by the Environmental Engineering Department. (EE)
- 13. All stub road water lines shall be eight (8) inch in diameter unless otherwise indicated by the Utilities Department, and shall be extended to the edge of

pavement. Please graphically show this on the revised tentative plan between lots 7 and 8. (U)

14. It is the subdivider's responsibility to see that this proposed development complies with the Chesterfield County Fire Department's required fire flow of 1000 gpm at 20 psi residual. (U)
15. Hydrant locations shown on the tentative plan may not be in acceptable location. Hydrant locations will be evaluated at the time of construction plan review. (F)

REVIEW NOTES:

- A. This office may require redesign or modifications to the proposed sewer layout, as shown on the tentative plan, once the field work and final design has been completed by the engineer and shown on initial construction plan submittal for review and approval. (U)
- B. Standard conditions. (P)
- C. Buffers shall comply with Section 17-70. (P)
- D. All improvements to existing transportation facilities required as a result of the impact of this project shall be the responsibility of the developer. Approval of detailed construction plans is a prerequisite to issuance of a land use permit allowing access onto and construction within state maintained rights of way. It should be noted that plan approval at this time does not preclude the imposition of additional requirements at construction plan review. (VDOT)
- E. All right of way widths as shown are preliminary and should be so noted. Actual widths shall be determined by roadway design per 24 vac 30-90-150 of the 1996 Subdivision Street Requirements (SSR). (VDOT)
- F. The design of any/all proposed landscape embellishments (ie, landscaping, hardscaping, signage, lighting, irrigation, fencing, etc.) to be installed within state maintained rights of way must be submitted to VDOT for review in conjunction with the initial submittal of road construction plans. VDOT approval of said plan shall be granted prior to installation. Failure to comply with these requirements may result in the removal of said embellishments prior to state acceptance. (VDOT)
- G. All roads to be designed and constructed per current VDOT standards and specifications. (VDOT)
- H. The construction of all roadways which are not defined as arterials or collectors in Chesterfield County's Thoroughfare Plan requires the implementation of a

comprehensive inspection program to insure compliance with VDOT standards and specifications. Inspection services shall be provided utilizing one of the following options:

1. The applicant may retain the services of a licensed geotechnical engineer to perform the required inspection and testing, or,
  2. The applicant shall request that VDOT provide inspection services through the establishment of an accounts receivable with the contractor responsible for providing all required material testing. (VDOT)
- I. All USACOE jurisdictional wetlands within proposed right of way to be state maintained shall be considered impacted. (VDOT)
- J. The disposition of any/all mine shafts within proposed right of way to be state maintained shall be addressed in accordance with all local, state and federal regulations. Documented evidence that compliance with these regulations has been achieved must be provided to VDOT prior to acceptance of this street into the Secondary System of State Highways. (VDOT)
- K. Specific street design issues shall be addressed at the time of detailed geometric and hydraulic review of construction plans for this project. It should be noted that minimum intersection sight distance requirements are addressed in the current edition of the VDOT Minimum Standards of Entrances to State Highways. (VDOT)

#### GENERAL INFORMATION

Applicant/Owner:

Darrel Neilson

Location:

Fronting approximately 900 feet on the west line of Old Gun Road, approximately twenty (20) feet south of Spring Creek Drive and approximately 4,000 feet north of Robious Road. Tax ID 735-721-2025, 736-720-8978 and 736-720-0670 (Sheet 2).

Existing Zoning and Land Use:

R-40 – Single family residential; Residence

Size:

20.12 acres

### Adjacent Zoning and Land Use:

North - R-25 and R-40; Single family residential  
South - R-40; Single family residential  
East - R-40; Single family residential  
West - R-25; Single family residential

### BACKGROUND

In accordance with the Chesterfield County Subdivision Ordinance Section 17-32 (1) a. 1. (iii), the Director of Planning has referred this tentative subdivision plat to the Planning Commission for review. Section 17-32 (1) a. 1. (iii) states that the Director of Planning shall:

Refer the plat to the planning commission for review, if the director receives written request from an adjacent property owner or property owner directly across the street from the property or an adjacent property owner within 15 calendar days of the date of the sign posting and such request relates to the proposed location of streets, water, wastewater, stormwater conveyance systems, and stormwater facilities or to the implementation of conditions of zoning required to be complied with at time of tentative plat approval.

Concerns from adjacent property owners include: impacts on existing wetlands and streams, impacts of drainage on adjacent properties, impacts on existing traffic on Old Gun Road, and the level of safety for the proposed access on Old Gun Road.

On February 24, 2006, the applicant submitted a revised tentative which included two (2) additional parcels of property totaling 4.62 acres. The additional parcels consist of one (1) existing home (which will remain) and three (3) additional lots. This represents an increase of four (4) lots, bringing the new project density to nineteen (19) lots. In an effort to address concerns regarding the location of the entrance to Old Gun Road, the applicant relocated the entrance approximately 250 feet to the south along Old Gun Road. (See Attached Map)

Staff acknowledges that the proposed development consisting of one (1) existing and eighteen (18) new homes on 24.74 acres complies with the County Code, does adequately address drainage impacts, and addresses safety issues with regard to the location and sight distance of the proposed entry point of the development.

The recommended conditions address the issues of erosion, access to Old Gun Road by limiting and reducing existing driveways, and the dedication of right of way on Old Gun Road.

### Transportation:

This request involves the subdivision of three (3) parcels with a combined acreage of 24.7 acres which front Old Gun Road approximately 4,000 feet north of Robious Road. The three (3) parcels are occupied by single family structures, two (2) of which were built in the early 1950s and the third structure was built in 1996. The property was designated as

R-A R-40 on the County's 1972 Zoning Map and the Old Gun/Robious Area Plan designates land in the area of this request as residential with densities of 1.0 dwelling unit per acre or less. The Thoroughfare Plan identifies Old Gun Road a Collector Road with a recommended right of way width of seventy (70) feet and the Virginia Department of Transportation designates Old Gun Road as a Scenic Byway.

The applicant is seeking to subdivide the parcels into nineteen (19) lots including two lots for two (2) existing residences fronting Old Gun Road which are scheduled to remain. A public road is proposed to serve all nineteen (19) lots and no access from the existing structures to Old Gun Road will be permitted through the thirty (30) foot buffer along Old Gun Road. Also, the existing driveway for 3220 Old Gun Road West will be relocated from the present location to the public road. A condition of Tentative Approval requires relocation of both driveways to the public road. This proposed subdivision is expected to generate approximately 182 average daily trips. These trips will be distributed along Old Gun Road, which had a 2005 traffic count of 1,735 vehicles per day. Dedication of right of way along the property frontage on Old Gun Road and relocation of the ditch to provide an adequate shoulder are part of the recommended conditions for Tentative Approval.

### CONCLUSIONS

On May 22, 2002, the Board of Supervisors rezoned the adjacent parcel to the north, known as Tarrington Subdivision, permitting 725 residential units. Proffered Condition 15 of that zoning Case (02SN0131) provided a stub road from the Tarrington property to serve a portion of this development lying west of the gas pipeline. Proffer 15 reads as follows:

There shall be no road connection between the subject property and Tax IDs 737-725-8140, 736-722-5574, 737- 728-0876 and 737-727-2907. Provided, further, no road shall transverse the eastern property line of the subject property and no stub road shall be permitted to any property east of the subject property. At time of tentative subdivision review, this condition may be modified to allow a stub road right-of-way to serve only that portion of Tax ID 735-721-2025 that is west of the gas pipeline and provided that said stub road is not used to serve any other property and is not extended to intersect with Old Gun Road.

There was concern at the time of the Tarrington rezoning that the property west of the pipeline, shown on this tentative as lots 16-19, could potentially be undevelopable if construction of a road across the pipeline could not be achieved for access. Consequently, Condition 15 of rezoning Case 02SN0131 for the Tarrington Tract was amended by the Board of Supervisors' to permit a stub road connection at time of tentative plan review to serve only the portion of this development west of the pipeline.

On February 24, 2006, the Planning Department received a revised tentative showing nineteen (19) lots on this development all having access to Old Gun Road. This plan does not require the connection to the stub road provided on the Tarrington Tract (GPIN 734-724-5930). On May 5,

2006, Tarrington Holdings, the owner of the adjacent Tarrington Subdivision, submitted an application for a substitute tentative to the Planning Department to remove the proposed stub road. Staff has reviewed the Substitute Tentative and found it to be in compliance with all conditions of the original approval and will grant approval to remove the stub road from the Tarrington Tract. Staff recommends that approval of Case 05TS0196 be subject to the Conditions and Review Notes as outlined in this report.

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## CASE HISTORY

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### Planning Commission Meeting (9/20/05):

At the applicant's request, the Commission deferred this case to the October 18, 2005, public hearing.

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### Planning Commission Meeting (10/18/05):

At the applicant's request, the Commission deferred this case to the December 15, 2005, public hearing.

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### Planning Commission Meeting (12/15/05):

At the applicant's request, the Commission deferred this case to the February 21, 2006, public hearing.

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### Planning Commission Meeting (2/21/06):

At the applicant's request, the Commission deferred this case to the April 18, 2006, public hearing.

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### Planning Commission Meeting (4/18/06):

At the applicant's request, the Commission deferred this case to the May 16, 2006, public hearing.

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### Planning Commission Meeting (5/16/06):

The Commission deferred this case to the June 20, 2006, public hearing.

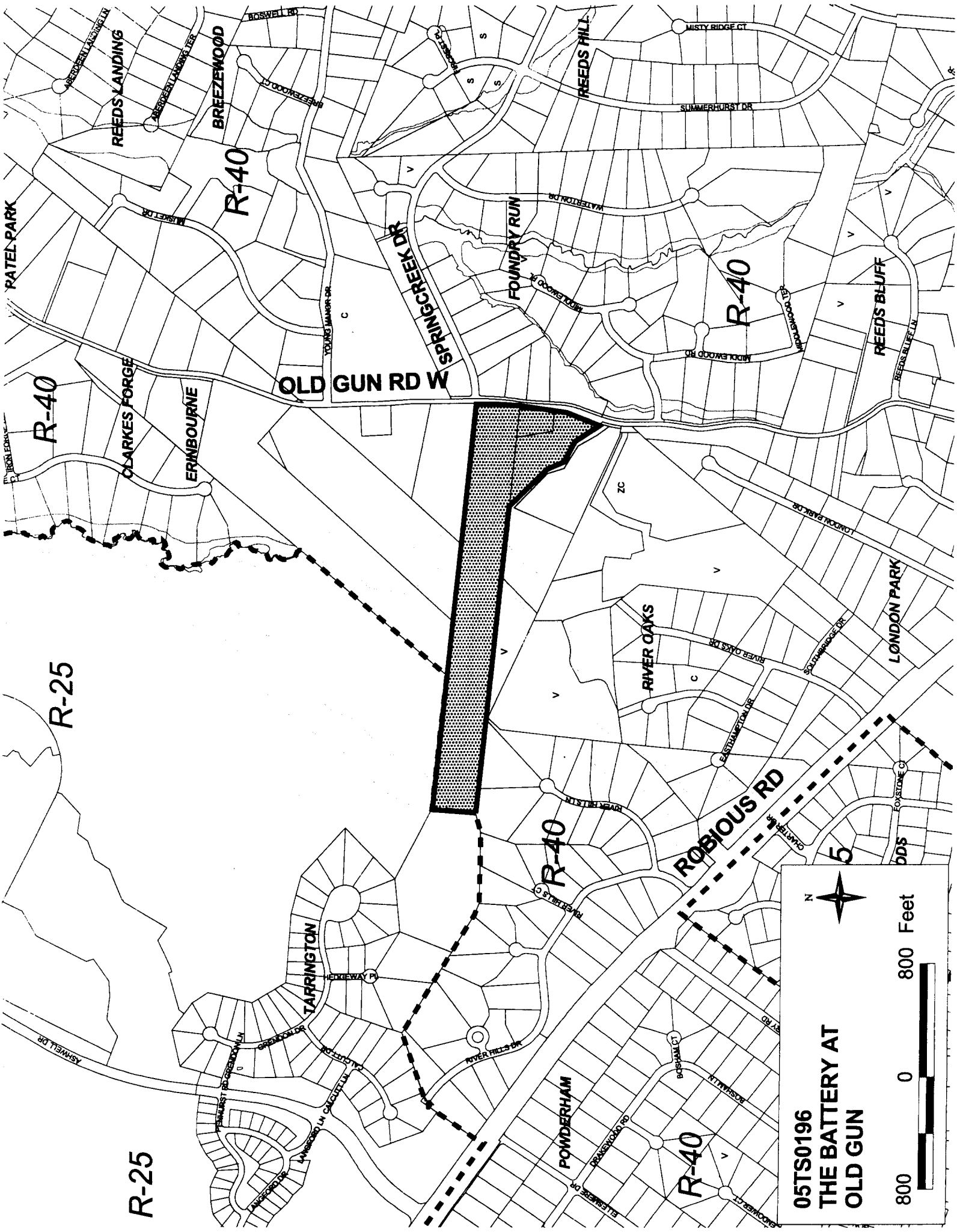
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Planning Commission Meeting (6/20/06):

At the applicant's request, the Commission deferred this case to July 18, 2006, public hearing.

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05TS0196  
THE BATTERY AT  
OLD GUN

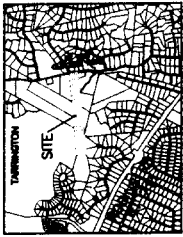
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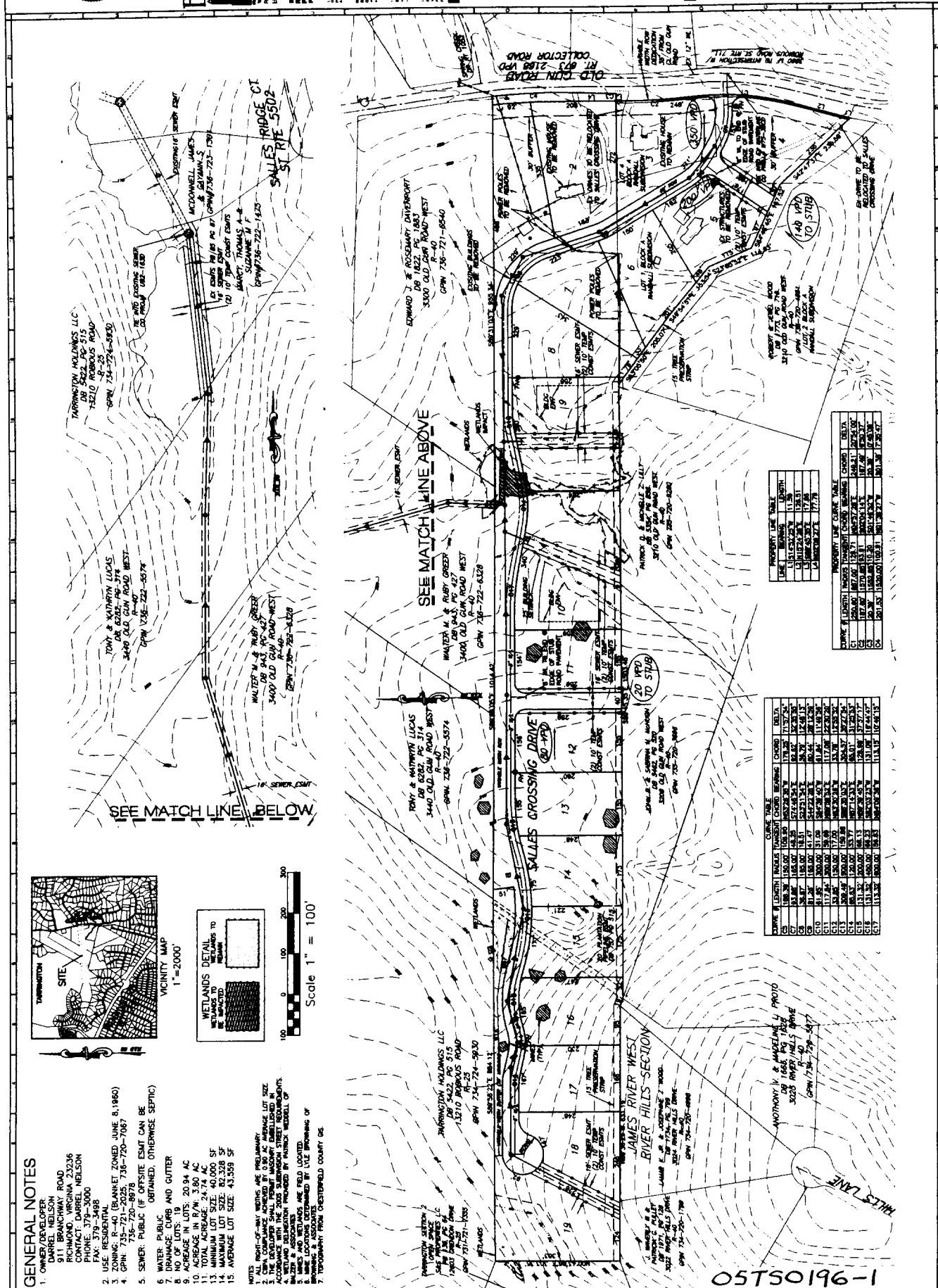
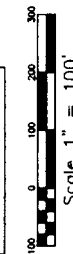
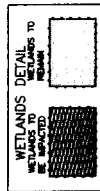
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# GENERAL NOTES

- OWNER/DEVELOPER: JAMES RIVER WEST, RIVER HILLS SECTION, 3222 HILLS LANE, RICHMOND, VIRGINIA 23236. CONTACT: DARREL NELSON, PHONE: 379-3000.
  - DATE: 10-13-04
  3. ZONING: R-40 (BLANKET ZONED JUNE 8, 1960)
  4. GPM: 735-721-2025, 735-720-7087
  5. SEWER: PUBLIC (IF OFFSITE ESMT CAN BE OBTAINED, OTHERWISE SEPTIC)
  6. WATER: PUBLIC
  7. DRAINAGE: CURB AND GUTTER
  8. NO. OF LOTS: 19
  9. ACREAGE IN LOTS: 20.94 AC
  10. TOTAL ACREAGE: 20.94 AC
  11. MINIMUM LOT SIZE: 40,000 SF
  12. MAXIMUM LOT SIZE: 82,328 SF
  13. AVERAGE LOT SIZE: 43,558 SF
- NOTES:
1. ALL RIGHT-OF-WAY NOTATIONS ARE PRELIMINARY.
  2. CURB COMPANIES ASSIGNED BY 0.30 AC AVERAGE LOT SIZE.
  3. ALL LOTS TO BE ADJACENT TO THE 3200 SUBDIVISION STREET REQUIREMENTS.
  4. ALL LOTS TO BE ADJACENT TO THE 3200 SUBDIVISION STREET REQUIREMENTS.
  5. LOTS 1-19 ARE TO BE ADJACENT TO THE 3200 SUBDIVISION STREET REQUIREMENTS.
  6. LOTS 1-19 ARE TO BE ADJACENT TO THE 3200 SUBDIVISION STREET REQUIREMENTS.
  7. TOPOGRAPHY FROM CHESTERFIELD COUNTY DE.



VICINITY MAP  
1"=2000'



PROPERTY LOT	LENGTH	WIDTH	AREA
1	11.51	11.51	131.97
2	11.51	11.51	131.97
3	11.51	11.51	131.97
4	11.51	11.51	131.97
5	11.51	11.51	131.97

CURVE #	LENGTH	INCHES	FEET	CHORD	DELTA
C1	11.51	11.51	11.51	11.51	90.00
C2	11.51	11.51	11.51	11.51	90.00
C3	11.51	11.51	11.51	11.51	90.00
C4	11.51	11.51	11.51	11.51	90.00
C5	11.51	11.51	11.51	11.51	90.00

CURVE #	LENGTH	INCHES	FEET	CHORD	DELTA
C6	11.51	11.51	11.51	11.51	90.00
C7	11.51	11.51	11.51	11.51	90.00
C8	11.51	11.51	11.51	11.51	90.00
C9	11.51	11.51	11.51	11.51	90.00
C10	11.51	11.51	11.51	11.51	90.00